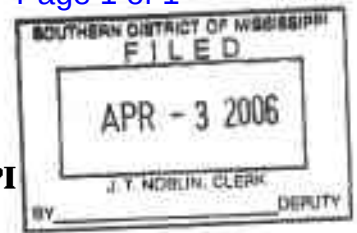


IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
HATTIESBURG DIVISION



WILLIAM CLARK

PLAINTIFF

v.

CIVIL ACTION NO. 2:05CV13 KS-JMR

**YAMAHA MOTOR CORPORATION
U.S.A., ET AL.**

DEFENDANTS

AGREED ORDER OF DISMISSAL WITHOUT PREJUDICE

There came on to be heard the motion *ore tenus* of plaintiff William Clark for a dismissal without prejudice of claims against Yamaha Motor Manufacturing Corporation of America pursuant to Fed R. Civ. P. 41(a)(2). The court, having considered the motion, and being advised that the parties have agreed to the terms of this order, finds that the motion should be granted.

IT IS THEREFORE ORDERED that the plaintiff's claims against the defendant Yamaha Motor Manufacturing Company, Inc. are hereby dismissed without prejudice, each party to bear his/its own costs.

IT IS FURTHER ORDERED AND ADJUDGED that this order does not affect the plaintiff's claims against Yamaha Motor Company, Ltd., Yamaha Motor Corporation, U.S.A., nor any other defendant in this action.

SO ORDERED on this the 3rd day of April, 2006.



U.S. MAGISTRATE JUDGE

APPROVED AND AGREED:

/s/ James L. Quinn
JAMES L. QUINN MSB #4590
ATTORNEY FOR PLAINTIFF

/s/ Robert A. Miller
ROBERT A. MILLER, MSB #3305